

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

ORDER

Plaintiff Lavar Washington, a state pretrial detainee confined in California and appearing pro se, brings this federal civil rights action pursuant to 42 U.S.C. § 1983. *See* Compl. (Doc. No. 1). The Complaint identifies as defendants Yuba County Superior Courts, Judge Benjamin Z. Wirtschafter, Monique M. McDevitt, and Yuba County Corrections Facility. *See id.* at 1-2. In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Suzanne Mitchell for preliminary review.

On February 12, 2025, Judge Mitchell issued a Report and Recommendation recommending that this case be transferred to the United States District Court for the Eastern District of California pursuant to 28 U.S.C. §§ 1404(a) and 1406(a). *See* R. & R. (Doc. No. 5) at 1, 7.¹ In the Report and Recommendation, Judge Mitchell advised Plaintiff

¹ The Complaint alleges that the events giving rise to Plaintiff's claims occurred in Yuba County, California. Yuba County lies within the territorial jurisdiction of the Eastern District of California. *See* 28 U.S.C. § 84(b). Venue properly lies in a judicial district in which any of the California defendants reside or "in which a substantial part of the events or omissions giving rise to the claim occurred." *Id.* § 1339(b)(1), (2).

of his right to object by March 5, 2025. Judge Mitchell also advised that failure to timely object would constitute a waiver of the right to appellate review of the factual findings and legal conclusions contained in the Report and Recommendation. *See id.* at 6.²

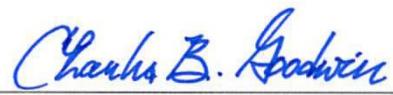
Plaintiff has filed a letter that seeks leave to amend the Complaint to add an additional claim. *See* Pl.'s Letter of Mar. 5, 2025 (Doc. No. 6). Plaintiff's filing does not address the recommendation to transfer and, even afforded a liberal construction, cannot reasonably be considered an objection to the Report and Recommendation. Nor does the letter seek an extension of time in which to object.

CONCLUSION

Therefore, the Report and Recommendation (Doc. No. 5) is ADOPTED in its entirety.

The Court finds that transfer is in the interest of justice. The Clerk of Court is DIRECTED to transfer this case to the United States District Court for the Eastern District of California.

IT IS SO ORDERED this 30th day of June, 2025.



CHARLES B. GOODWIN
United States District Judge

² The Report and Recommendation was mailed to Plaintiff at the address provided to the Court Clerk's Office.